

ASSEMBLY BILL

No. 24

Introduced by Assembly Member Houston

(Coauthors: Assembly Members Adams, Anderson, Benoit, Berryhill, Blakeslee, Cook, DeVore, Duvall, Emmerson, Fuller, Gaines, Garcia, Garrick, Huff, Jeffries, Keene, La Malfa, Maze, Nakanishi, Niello, Plescia, Silva, Smyth, Strickland, Tran, Villines, and Walters)

August 17, 2008

An act to add Section 13337.6 to the Government Code, relating to the current urgent expenses of the government of the State of California, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 24, as introduced, Houston. Interim state government appropriations.

(1) Under existing law, the Budget Act of each fiscal year appropriates funds for support of the state government for the ensuing fiscal year, which commences on July 1 and ends on June 30. The California Constitution requires the Legislature to pass a Budget Act on or before June 15. Funds may be expended from the State Treasury for support of the state government only through an appropriation made by the Legislature.

This bill would, if the Budget Act for the fiscal year is not enacted by July 1, appropriate unspecified amounts from the General Fund and other funds and sources to the Controller for allocation by the Director of Finance that are necessary to pay the current, urgent expenses of the state government, excluding salaries and per diem of Members of the

Legislature, at a level of service that does not exceed the level for the preceding fiscal year.

This bill would state the Legislature's intent to provide adequate funding while the Legislature works toward a budget.

(2) The California Constitution authorizes the Governor to declare a fiscal emergency and to call the Legislature into special session for that purpose. The Governor issued a proclamation declaring a fiscal emergency, and calling a special session for this purpose, on January 10, 2008.

This bill would state that it addresses the fiscal emergency declared by the Governor by proclamation issued on January 10, 2008, pursuant to the California Constitution.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 13337.6 is added to the Government
2 Code, to read:

3 13337.6. (a) There are hereby appropriated to the Controller
4 from the funds and sources described in subdivision (b), for
5 allocation by the Director of Finance, such sums as are necessary
6 for the payment of the current urgent expenses of the government
7 of the State of California, excluding salaries and per diem of
8 Members of the Legislature, if the Budget Act for any fiscal year
9 is not enacted by July 1. The Director of Finance shall allocate the
10 funds appropriated pursuant to this section to maintain critical
11 services funded by the government of the State of California, until
12 the Budget Act for that fiscal year is enacted, at a level of service
13 that does not exceed the level of service authorized and funded for
14 the immediately preceding fiscal year.

15 (b) The Director of Finance shall allocate the funds appropriated
16 in subdivision (a) from the following funds and sources:

- 17 (1) From the General Fund.
- 18 (2) From appropriate special funds.
- 19 (3) From appropriate bond funds.
- 20 (4) From appropriate federal funds.
- 21 (5) From appropriate nongovernmental cost funds.

1 (6) From appropriate reimbursements.

2 SEC. 2. It is the intent of the Legislature to formalize a process
3 by which adequate funding can be provided for critical programs
4 in the absence of a Budget Act. Programs for those in need should
5 not be interrupted while the Legislature works toward a balanced
6 budget.

7 SEC. 3. This act addresses the fiscal emergency declared by
8 the Governor by proclamation on January 10, 2008, pursuant to
9 subdivision (f) of Section 10 of Article IV of the California
10 Constitution.

11 SEC. 4. This act is an urgency statute necessary for the
12 immediate preservation of the public peace, health, or safety within
13 the meaning of Article IV of the Constitution and shall go into
14 immediate effect. The facts constituting the necessity are:

15 In order to settle existing and potential claims against the State
16 of California and to end the personal hardship to existing and
17 potential claimants as quickly as possible, it is necessary that this
18 act take effect immediately.

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